APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,345	10/21/2003	Guy Leighton Ettinger	07955.105003	4170

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EXAMINER
BARQADLE, YASIN M

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2153	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/690,345	ETTINGER ET AL.
	Examiner	**Art Unit**	
	Yasin M. Barqadle	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 February 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,3,5-8,13,14,16,20,22-24 and 26-28</u> is/are pending in the application.

     4a) Of the above claim(s) <u>29-42</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) <u>29-42</u> are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application .

6)☐ Other: _____.

Response to Amendment

1.   The amendment filed on February 26, 2007 has been fully
considered but are moot in view of the new ground(s) of
rejection.

After further consideration of the restriction requirement dated
on 11/20/2006, Examiner withdraws the previous
Election/Restriction requirement and a new Election/Restrictions
requirement is issued based on election by original
presentation.

Election/Restrictions

2.   Restriction to one of the following inventions is required
under 35 U.S.C. 121:

    I.   Claims 1,3,5-8,13-14,16-20,22-24, and 26-28, drawn to
a method for sharing information comprising capturing
a first input data instance from a first resource,
translating the first input data instance and
capturing a second input data instance from the first
resource, classified in class 709, subclass 205.

    II.   Claims 29-42, drawn to a system for sharing
information between a first computer, a second

computer and a third computer comprising receiving at

a server a request from a third computer to view the

computer screen image associated with the second

computer, the request comprising the identity of the

computer screen image and a size of the computer

screen image desired to be received by the third

computer; comparing the size of the computer screen

image requested by the first computer with the size of

the computer screen image requested by the third

computer to determine which request includes the large

size and processing at the server the received

computer screen image to conform the computer screen

image to the smaller of the size requested by the

first computer and the third computer received,

classified in class 715, subclass 788.

Newly submitted claims 29-42 are to a system for sharing

information between a first computer, a second computer and a

third computer comprising receiving at a server a request from a

third computer to view the computer screen image associated with

the second computer, the request comprising the identity of the

computer screen image and a size of the computer screen image

desired to be received by the third computer; comparing the size

of the computer screen image requested by the first computer

with the size of the computer screen image requested by the
third computer to determine which request includes the large
size and processing at the server the received computer screen
image to conform the computer screen image to the smaller of
the size requested by the first computer and the third computer
received, classified in class 715, subclass 788.

Since applicant has received an action on the merits for
the originally presented invention, this invention has been
constructively elected by original presentation for prosecution
on the merits. Accordingly, claims 29-42 are withdrawn from
consideration as being directed to a non-elected invention. **See
37 CFR 1.142(b) and MPEP § 821.03.**

Response to arguments

3.   In response to Applicant's arguments that "Nothing in
Ohkado teaches or suggests 'translat[ing] one or more data items
from the first resource <u>in response to a request from a second
resource comprising a translation</u> parameter,' as required by
amended independent Claims 13, 17, 20, and 23. Similarly,
nothing in Ohkado teaches or suggests a system that is 'operable
to translate one or more data items from the first resource <u>in
response to a request from a second resource comprising a</u>

<u>translation parameter,</u>' as required by amended independent Claim
1."

Examiner notes that Applicant's arguments are moot because the
combined reference of Ohkado and Easwar teach the argued
limitation as shown in the detailed office action below. For
example, Ohkado teaches an embedding mechanism that is carried
out by converting an HTML data (see ¶ 0137-0148) while Easwar
discloses capturing image device and rendering of requested
images for a particular device type in response to constraints
given by a target (requesting device), "the present invention is
to dynamically reshape or reconfigure the viewport, so that the
image is correctly rendered at the target device. Consider a set
of device constraints for a given target device. The constraints
will specify certain limits, such as maximum bits allowed per
pixel (e.g., 8 bits per pixel), maximum screen size (e.g., 100
pixels by 100 pixels), and the like. In accordance with the
present invention, the viewport is dynamically reconfigured to
fit the constraints of the then-current target device. Moreover,
multiple constraints must usually be satisfied. For example, a
target device may specify a maximum image size (e.g., 5K)(¶ 0060
and ¶ 0175]. Therefor, the combined references of Ohkado and
Easwar clearly teach the limitations argued by the Applicant.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1,3,5-8,13-14,16,20,22-24 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohkado in US Pub. (20010016873) in view of Easwar USPN. (20040017393).

As per claim 1,9, and 16 Ohkado et al teach a system for sharing information (fig. 4 and abstract), comprising:

a first adapter module (fig. 4, 171/173), associated with a first resource (fig. 4, 130) operable to translate one or more data items by a first resource and further operable to distribute the translated data items in response to a change in one or more of the data items (To be more specific, embedding is carried out by converting an HTML ¶ 0137-0148); a system server module, operable to receive the translated data items from the first adapter module and further operable to process the data

items (embedding a client controller for transmitting changed

content specifying information to a collaboration server and

transmitting the client controller to the first information

terminal, when the first information terminal connected to the

collaboration server acquires new content information via the

collaboration server (¶0018-0027 and ¶0044-0048); and a second

adapter module (fig. 4, 131/133), associated with a second

resource (fig. 4, 170) and operable to receive the processed

data items from the system server module (transmitting the

changed content specifying information to the second information

terminal in order to enable the second information terminal

connected to the collaboration server to acquire the changed

content specifying information(¶ 0046-0048).

Although Ohkado shows substantial features of the claimed

invention as shown as explained above, he does not explicitly

show where the translating of the data item captured by a first

resource is in response to a request comprising a translation

parameter from a second resource.

Nonetheless, this feature is well known in the art and would

have been an obvious modification of the system disclosed by

Ohkado et al, as evidenced by Easwar USPN. (20040017393).

In analogous art, Easwar whose invention is a system for

optimizing/customizing display or rendering of requested images

for a particular device type, discloses rendering of requested images for a particular device type in response to constraints given by a target (requesting device), "the present invention is to dynamically reshape or reconfigure the viewport, so that the image is correctly rendered at the target device. Consider a set of device constraints for a given target device. The constraints will specify certain limits, such as maximum bits allowed per pixel (e.g., 8 bits per pixel), maximum screen size (e.g., 100 pixels by 100 pixels), and the like. In accordance with the present invention, the viewport is dynamically reconfigured to fit the constraints of the then-current target device. Moreover, multiple constraints must usually be satisfied. For example, a target device may specify a maximum image size (e.g., 5K)(¶ 0060 and ¶ 0175]. Giving the teaching of Easwar, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Ohkado et al by employing the iterative optimization system of Easwar that is used to meet the constraints of different target devices while maintaining good image quality in order to provide a dynamically optimized or customized image that fits the constraints a particular target devices.

Easwar further teaches resizing an image and specifying a maximum image size ¶ 0060 and ¶ 0175].

As per claim 3, Okhkado teaches the system of claim 2 wherein

one of the resources is a personal computer (¶ 108 see fig. 4).

As per claim 5, Ohkado teaches the system of claim 1 wherein the

system server module instantiates at least one virtual server to

receive, process, and distribute the data items (¶ 0099; 0123

and 0131).

As per claim 6, Ohkado teaches the system of claim 1 wherein the

first and the second adapter modules each comprise a resource

module and a consumer module (fig. 4, 130 and 170 and

corresponding elements 131/133, 171/173).

As per claim 7, Ohkado teaches the system of claim 1 wherein the

first adapter module is resident on the first resource and the

second adapter module is resident on the second resource (fig.

4, 130 and 170 and corresponding elements 131/133, 171/173).

As per claim 8, Ohkada teaches the system of claim 1, wherein

the first adapter module is not resident on the first resource

(¶ 0097-0100 ;0178-0182 and 0188-0189).

As per claims 13,17,18, 20, and 23, these claims have similar

limitations as claim 1 and 9 above. Therefore, they are rejected

with the same rationale.

As per claims 14 and 24, Ohkado teaches the invention wherein

the first resource comprises a personal computer and wherein the

first and second data instances comprises desktop application

images (input images in desktop windows of terminals 130 and

170).

As per claims 22, and 26-28, Easwar teaches the invention as

explained above including resizing an image to a maximum image

size specified by the second personal computer (target device)

[¶ 0060 and ¶ 0175].

Conclusion

5.   **ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is

reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action

is set to expire **THREE MONTHS** from the mailing date of this

action. In the event a first reply is filed within **TWO MONTHS**

of the mailing date of this final action and the advisory action

is not mailed until after the end of the **THREE-MONTH** shortened

statutory period, then the shortened statutory period will

expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated

from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than

SIX MONTHS from the date of this final action.

The prior made of record and not relied upon is considered

pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier

communications from the examiner should be directed to Yasin

Barqadle whose telephone number is 571-272-3947. The examiner

can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, Glenn Burgess can be

reached on 571-272-3949. The fax phone numbers for the

organization where this application or proceeding is assigned

are 703-872-9306 for regular communications and 703-746-7238 for

After Final communications.

Any inquiry of a general nature or relating to the status

of this application or proceeding should be directed to the

receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be

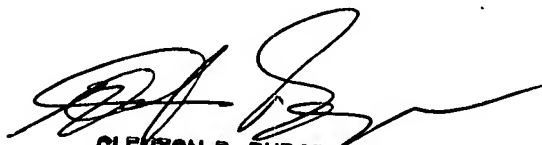obtained form the Patent Application Information Retrieval

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YB

Art Unit 2153

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